THE HONOURABLE MR JUSTICE K.C.BHANU

WRIT PETITION No.20381 of 2005

Dated: 16.09.2005

Between:

Bhukya Tulasiram Naik

…PETITIONER

And:

The Station House Officer,

Tulluru Police Station, Tulluru,

Tulluru Mandal, Guntur District

And 3 others

…RESPONDENTS

ORDER:

Seeking a Mandamus, directing the 3rd respondent to take cognizance of the complaint dated 05.09.2005 lodged by the petitioner and register F.I.R, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

The learned counsel for the petitioner contended that in spite of the complaint made by the petitioner, the same is not registered by the
1st respondent and hence he prays to issue a mandamus.

On the other hand, the learned Government Pleader for Home opposed the same.

It is the statutory duty of the police to register a case under Section 154 of the Code of Criminal Procedure if the allegations in the complaint made out a prima facie case of cognizable offence. It is for the 1st respondent to take appropriate decision on the

complaint made by the petitioner.

Therefore, without entering into the merits of the case, I deem it appropriate to dispose of the writ petition, with a direction to the 1st respondent to register a case, if the allegations in the complaint of the petitioner made out a prima facie case of cognizable offence.

With the above directions, the Writ Petition is disposed of. No order as to costs.

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K.C.BHANU,J

Dated: 16.09.2005

Dsr